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| 08/929,019      | 09/15/1997  | PAUL T DECRAENE      | 5291/54391          | 1336             |

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EXAMINER

HAROLD, JEFFEREY F

ART UNIT PAPER NUMBER

2644

DATE MAILED: 11/07/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

08/929,019

Applicant(s)

DECRAENE, PAUL T

Examiner

Jefferey F. Harold

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 12-14 and 17-19 is/are rejected.
- 7) ☒ Claim(s) 9-11, 15 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments, see page 8, filed July 28, 2003, with respect to the rejection(s) of claim(s) 1-8, 12-14, 17 and 19 under 102 (b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Boyer (United States Patent 3,755,630) and De Bortoli et al. (United States Patent 3,784,728).

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 4, and 6-8** are rejected under 35 U.S.C. 102(b) as being anticipated by Boyer (United States Patent 3,755,630).

Regarding **claim 1**, Boyer discloses a wired equipment shelf. In addition, Boyer discloses an equipment shelf, which reads on claimed "wall rack assembly", consisting of:

an equipment shelf, as disclosed in figures 1 and 2, for selectively receiving a plurality of circuit units, which reads on claimed network interface units, as disclosed at column 6, lines 10-26 and exhibited in figures 4 and 5;

inherent customer interface modules as evidenced by the fact that one of ordinary skill in the art would have recognized that the customer interface modules

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would have been provided for the purpose of connecting the terminal blocks (31) to the equipment shelf;

two terminal blocks (31), which read on claimed "customer interface module" selectively connectable to inherent customer interface modules on either side of equipment shelf, as disclosed at column 4, line 22 through column 5, line 25 and exhibited in figures 1-4.

Regarding **claims 4 and 6**, Boyer discloses everything claimed as applied above (see claim 1), in addition Boyer discloses wherein the equipment shelf consists of a circuit board, as exhibited in figure 1.

Regarding **claim 7**, Boyer discloses everything claimed as applied above (see claim 6), in addition, Boyer discloses wherein the equipment shelf includes a top flange, a bottom flange, a first side flange and a second side flange, the top, bottom, first and second side flanges being positioned generally perpendicular to the printed circuit board and forming a housing area for the circuit units, as exhibited in figures 1-4.

Regarding **claim 8**, Boyer discloses everything claimed as applied above (see claim 7), in addition, Boyer discloses wherein the inherent customer interface module connectors include a first customer interface module connector positioned along the first side flange and a second customer interface module connector positioned along the second side flange, as exhibited in figures 1-4.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. ***Claims 2, 3, 5, 12-14, 17 and 19*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyer in view of De Bortoli et al. (United States Patent 3,784,728), hereinafter referenced as De Bortoli.

Regarding **claim 2**, Boyer discloses everything claimed as applied above (see claim 1), however, Boyer fails to disclose a cover for the shelf assembly. However, the examiner maintains that it was well known in the art to provide a cover for the shelf assembly, as taught by De Bortoli.

In a similar field of endeavor De Bortoli discloses a connecting block with hinged terminal means. In addition, De Bortoli discloses a cover (14) is for engaging the enclosure, as disclosed at column 1, lines 48-68 and exhibited in figures 1 and 2.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boyer by specifically providing a cover for the shelf assembly, as taught by De Bortoli, for the purpose of protecting the boards.

Regarding **claim 3**, Boyer and De Bortoli disclose everything claimed as applied above (see claim 2), however, the combination fails to disclose a cover with side

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openings. However, the examiner maintains that it was well known in the art to provide a cover with side openings, as taught by De Bortoli.

In addition, De Bortoli discloses a cover (14) with side openings, as exhibited in figures 1 and 2.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boyer by specifically providing a cover with side openings, as taught by De Bortoli, for the purpose of customer interface.

Regarding claims **5, 12-14, and 17-19** they are interpreted and thus rejected for the reasons set forth above in the rejection of claims 1-4 and 6-8.

***Allowable Subject Matter***

4. ***Claims 9, 10, 11, 15, and 16*** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding **claim 9**, Boyer discloses where the terminal blocks (31) include at least one customer line connector, as exhibited by the connector housed on the terminal blocks (31), the customer lines being inherently connected to the at least one customer line connector, however, the prior art of record failed to disclose wherein the customer lines are connected in a direction parallel to the printed circuit board.

Regarding **claim 10**, Boyer discloses an equipment shelf and a printed circuit board, however, the prior art of record fails to disclose or fairly suggest wherein the printed circuit board includes at least one network service provider line connector, the

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network service provider lines being connected to the at least one network service provider line connector in a direction perpendicular to the printed circuit board.

Regarding **claim 15**, Boyer and De Bortoli disclose an equipment shelf with cover, however, the prior art of record fails to disclose or fairly suggest wherein the back mounting plate includes cover locking slots, and the cover includes tabs which selectively engage the cover locking slots to secure the cover over the shelf assembly.

Regarding **claim 16**, Boyer and De Bortoli disclose an equipment shelf with cover, however, the prior art of record fails to disclose or fairly suggest wherein the first side flange and the second side flange extend beyond the top flange and the bottom flange, the shelf assembly further comprising a cover, the cover and the top and bottom flanges including openings for allowing the network service provider line to pass therethrough.

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**Conclusion**

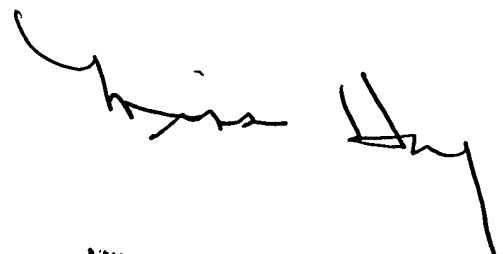
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F. Harold whose telephone number is (703) 306-5836. The examiner can normally be reached on Monday-Friday 7:30am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



JFH  
October 31, 2003



MINSUN OH HARVEY  
PRIMARY EXAMINER